

# Your COBRA Continuation of Coverage Rights



## Introduction

You're receiving this notice because you're a King County employee or an employee's family member covered under one or more of these county health plans:

- KingCare Basic Medical
- KingCare Preferred Medical
- Group Health Medical
- Regence BlueShield Medical (deputy sheriffs only)
- PacifiCare Medical (deputy sheriffs only)
- Washington Dental Service
- Vision Service Plan.

If you lose your health plan coverage through the county, the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) gives you (the employee or the employee's family member) the right to temporarily extend your coverage when you would otherwise lose it.

**This notice generally explains COBRA continuation of coverage, when it may become available to you and what you need to do to protect the right to receive it.**

For more information about your rights and responsibilities under your county health plans and federal law:

- Refer to "Your King County Benefits," the collection of plan booklets available at [www.metrokc.gov/employees/benefits](http://www.metrokc.gov/employees/benefits) or from Benefits and Retirement Operations
- Contact Benefits and Retirement Operations:
  - Call 206-684-1556
  - Fax 206-684-1925
  - E-mail [kc.benefits@metrokc.gov](mailto:kc.benefits@metrokc.gov)
  - Write/stop by the office located on the third floor of the Exchange Building EXC-ES-0300, 821 Second Ave., Seattle WA 98104-1598
  - Contact the nearest regional or district office of the U.S. Department of Labor's Employee Benefits Security Administration (EBSA). Addresses and phone numbers of regional and district EBSA offices are available at EBSA's website: [www.dol.gov/ebsa](http://www.dol.gov/ebsa).

## COBRA Eligibility

COBRA continuation of coverage is a continuation of health plan coverage when coverage would otherwise end because of a life event known as a "qualifying event" (specific qualifying events are listed on the next page). After a qualifying event, COBRA continuation of coverage must be offered to each person who is a "qualified beneficiary." You, your covered spouse, your covered domestic partner and your covered dependent children could become qualified beneficiaries if coverage under county health plans is lost because of a qualifying event.

Call 206-684-1556 for alternate formats.

## COBRA Plan Options and Cost

Under the county health plans, qualified beneficiaries who elect COBRA continuation must pay for COBRA continuation of coverage. Your plan options and the cost are explained in the information you receive from Personal Choice Account (PCA, offered by Regence BlueCross and BlueShield of Oregon), the county's COBRA administrator, when you qualify for COBRA. The information is also available in the Employee Exit Guide available at [www.metrokc.gov/employees/benefits](http://www.metrokc.gov/employees/benefits) or from Benefits and Retirement Operations (see page 1 for contact information).

### When Do You Become a COBRA Qualified Beneficiary?

If you're an **employee**, you become a qualified beneficiary if you lose coverage under your King County health plans due to any of these qualifying events:

- A change in your job status, such as a reduction in hours, causes you to lose coverage.
- Your employment ends for any reason other than your gross misconduct.

If you're the **covered spouse** or **covered domestic partner** of an employee, you become a qualified beneficiary if you lose coverage under your King County health plans due to any of these qualifying events:

- Your spouse or domestic partner dies
- A change in your spouse's or domestic partner's job status, such as a reduction in hours, causes you to lose coverage
- Your spouse's or domestic partner's employment ends for any reason other than his or her gross misconduct
- You divorce from your spouse (legal separation is not a qualifying event) or end your domestic partnership.

If you're the covered spouse dropped from coverage by the employee in anticipation of a divorce and a divorce later occurs, then the divorce is considered the qualifying event even though you lost coverage earlier. Contact Benefits and Retirement Operations within 60 days after the divorce with documentation of the event; COBRA eligibility begins the first of the month following the divorce.

Your **covered dependent children** become qualified beneficiaries if they lose coverage under your King County health plans due to any of these qualifying events:

- Parent-employee dies
- A change in your parent-employee's job status, such as a reduction in hours, causes you to lose coverage
- Parent-employee's employment ends for any reason other than his or her gross misconduct
- Parents divorce (legal separation is not a qualifying event) or end their domestic partnership
- Child stops being eligible for coverage under the plan as a "dependent child."

### When Is COBRA Coverage Available?

COBRA qualifying events of end of employment, change in job status, or employee death are reported to Benefits and Retirement Operations through the employee's termination notice or payroll report.

### IMPORTANT! You Must Give Notice of Certain Qualifying Events

For the other qualifying events (divorce of employee and spouse, end of domestic partnership or a dependent child's loss of eligibility for coverage as a dependent child), you (employee or family member) must submit a Delete Family Member form to Benefits and Retirement Operations within 60 days of the last day of the month the qualifying event occurs or the date coverage ends, if later. The form is available at [www.metrokc.gov/employees/benefits](http://www.metrokc.gov/employees/benefits) or from Benefits and Retirement Operations (see page 1 for contact information).

You can fax, mail, e-mail or hand-deliver the form to Benefits and Retirement Operations, but oral notice (including notice by telephone) is not acceptable.

**If these procedures are not followed or if a Delete Family Member form is not received by the last day of the 60-day notice period (if mailed, it must be postmarked by the last day of the 60-day notice period), any spouse, domestic partner or dependent child who loses coverage will not be offered the option to elect COBRA continuation of coverage.**

## How Is COBRA Coverage Provided?

Once Benefits and Retirement Operations receives notice that a qualifying event has occurred, it notifies PCA and PCA offers COBRA continuation of coverage to each of the qualified beneficiaries. Each qualified beneficiary has an independent right to elect COBRA continuation of coverage. Covered employees may elect COBRA continuation of coverage on behalf of their spouses or domestic partners, and parents may elect COBRA continuation of coverage on behalf of their children.

COBRA coverage is a temporary continuation of coverage. When the qualifying event is the death of the employee, divorce, end of domestic partnership or a dependent child losing eligibility as a dependent child, COBRA continuation of coverage lasts for up to a total of 36 months.

When the qualifying event is the end of employment or change in the employee's job status where there is a loss of coverage, and the employee became entitled to Medicare benefits before that qualifying event, COBRA continuation of coverage for qualified beneficiaries other than the employee lasts until 36 months after the date of Medicare entitlement or 18 months from the COBRA effective date, whichever allows a longer period of COBRA coverage.

To illustrate how this works, if a covered employee becomes entitled to Medicare eight months before the date on which his/her employment ends, COBRA continuation of coverage for the employee's spouse or domestic partner and children can last up to 28 months after the date of the qualifying event (36 months minus eight months).

Otherwise, when the qualifying event is the end of employment or a change in the employee's job status where there is a loss of coverage, COBRA continuation of coverage generally lasts for up to a total of 18 months only. There are two ways in which this 18-month period of COBRA continuation of coverage can be extended.

**Disability extension of 18-month period of continuation of coverage.** If you or anyone in your family covered under a health plan is determined by the Social Security Administration to be disabled and you notify the plan in a timely fashion, you and your entire family may be entitled to receive up to an additional 11 months of COBRA continuation of coverage, for a total maximum of 29 months. The disability would have to have started at some time before the 60th day of COBRA continuation of coverage and must last at least until the end of the 18-month period of continuation of coverage. A COBRA qualified beneficiary must provide a copy of the Social Security Administration's disability determination to King County's COBRA administrator, PCA, before the end of the first 18 months of COBRA coverage and within 60 days after the later of the:

- Social Security Administration's determination of disability
- Date on which a qualifying event occurs
- Date coverage is lost because of the qualifying event or
- Date on which the qualified beneficiary is informed of the responsibility to provide the notice and the procedures for providing the notice.

**Second qualifying event extension of 18-month period of continuation of coverage.** If your family experiences another qualifying event while receiving 18 or 29 months of COBRA continuation of coverage, the spouse or domestic partner and dependent children in your family can get additional months of COBRA continuation of coverage, for a total maximum of 36 months from the date when COBRA coverage began, if notice of the second

qualifying event is properly given to the plan. This extension may be available to the spouse or domestic partner and any dependent children receiving continuation of coverage if the employee or former employee dies, divorces or ends a domestic partnership, or if the dependent child stops being eligible under the plan as a dependent child, but only if the event would have caused the spouse, domestic partner or dependent child to lose coverage under the plan had the first qualifying event not occurred.

### Keep Your Plan Informed of Address Changes

To protect your family's rights, keep King County and PCA informed of any changes in addresses of family members. You should also keep copies for your records of any address change notices you send the county or PCA.